

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARELIUS MCMURRAY,

Petitioner,

No. CIV S-05-0541 GEB DAD P

vs.

SCOTT KERNAN, Warden,

Respondent.

ORDER

Petitioner has submitted an unsigned request for a thirty-day extension of time to file opposition to the motion to dismiss filed by respondent on April 25, 2005. Although petitioner's request includes a proof of service in which he declares that he mailed the request on May 25, 2005, the document was not received by the court until June 28, 2005. In findings and recommendations signed June 27, 2005, the undersigned has recommended that respondent's motion be granted on its merits. The thirty-day period requested by petitioner has expired and no opposition has been filed. Accordingly, IT IS HEREBY ORDERED that petitioner's June 28, 2005 request for extension of time is denied.

DATED: July 5, 2005.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE